IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

W.P.(C).No.9737 of 2006(H)

PETITIONER:-

B. OMANAKUTTAN,
KANDALLOOR VILAYIL, ELIPPAKKULAM,
PALLICKAL P.O.-690503.

BY ADV. SRI.SIVARAM
SRI.PRAMODH.R

RESPONDENTS:-

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1. STATE OF KERALA,
   REPRESENTED BY SECRETARY TO GOVERNMENT,
   CO-OPERATION DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE CHAIRMAN,
   KERALA PUBLIC SERVICE COMMISSION.

3. THE SECRETARY,
   KERALA PUBLIC SERVICE COMMISSION.

4. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
   THIRUVANANTHAPURAM.

5. THE DISTRICT OFFICER,
   KERALA PUBLIC SERVICE COMMISSION, KOLLAM.

6. THE DISTRICT OFFICER,
   KERALA PUBLIC SERVICE COMMISSION,
   THIRUVANANTHAPURAM.

7. THE GENERAL MANAGER,
DISTRICT CO-OPERATIVE BANK, KOLLAM.

* 8. MR. P. GOPAKUMAR,
DISTRICT CO-OPERATIVE BANK, KOLLAM (DELETED).

* RESPONDENT NO.8 IS DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 19.12.06 IN I.A.NO.16565 OF 2006.

9. MR. R.SREEKUMAR,
DISTRICT CO-OPERATIVE BANK, PATHANAMTHITTA.

** ADDL.R10 IMPLEADED:

ADDL.R10. MR.SUNIL CHANDRAN, 'SREE NIKETAN',
SASTHAMKOTTA P.O.

** ADDITIONAL 10TH RESPONDENT IS IMPLEADED AS PER ORDER DATED 19.12.2006 IN I.A.NO.11669 OF 2006.

R1 & R4 BY SENIOR GOVERNMENT PLEADER SRI.P.K.RAVIKRISHNAN.
R2, R3, 5 & R6 BY STANDING COUNSEL SRI.P.C.SASIDHARAN.
R7 BY ADVOCATE SRI.P.B.SURESHKUMAR.
R10 BY ADV. SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR
SRI.K.JOHN MATHAI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 - TRUE COPY OF NOTIFICATION.

EXT.P2 - TRUE COPY OF APPLICATION.

EXT.P3 - TRUE COPY OF PUBLICATION.

EXT.P4 - TRUE COPY OF REQUISITION LETTER.

EXT.P5 - TRUE COPY OF ORDER.

EXT.P6 - TRUE COPY OF ORDER.

EXT.P7 - TRUE COPY OF REPRESENTATION.

EXT.P8 - TRUE COPY OF CORRESPONDENCE.

- TRUE COPY -

K.Padmanabhan Nair,J.

W.P.(C).No.9737 of 2006-H

Dated, this the 21st day of February, 2007

JUDGMENT

The grievance of the petitioner is that his application for the post of General Manager of the District Co-operative Bank was illegally rejected by the Public Service Commission. The affidavit filed by the Public Service Commission shows that the candidate must acquire the academic qualification first and thereafter he must undergo practical experience of three years. On the date of application, the petitioner had practical experience, but he did not have three years practical experience after acquiring the qualification. The counsel for the petitioner contended that if that is the criterion, the Public Service Commission ought not have called respondents 8 and 9 for interview. Public Service Commission in its counter affidavit has stated that it came to the notice of the Public Service Commission that certain persons who ought not have called for interview were called, but those persons were not included in the

final rank list. Admittedly the additional 10th respondent is now working as General Manager. He is possessed of qualification and experience. No useful purpose will be served by enquiring the circumstances under which the Public Service Commission called respondents 8 and 9 for interview. So, the writ petition is only to be closed.

In the result, the writ petition is closed.

K.Padmanabhan Nair
Judge

vku/-